UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,452	01/26/2001	Jussi Petri Myllymaki	ARC9-2000-0103-US1	5448

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EXAMINER
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ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _January 26, 2001_ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

Response to Arguments

1. Applicant's arguments with respect to claims 1-25 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Emery (Emery et al., US Patent No.: 5,727,057) in view of Glorikian (Glorikian, Harry A.;

US 00 Patent No.: 6,343,317 B1).

Regarding claims 1 and 10, Emery teaches of a satellite and method of sorting

geo-spatial dependent data using client wireless component (CWC) (columns 1 and 8,

lines 24-27 and 40-45 respectively), the method comprising at least: determining

location of the CWC (Figure 1, items 105.1 and 107; where the GPS satellite

determines the position of the mobile device, CWC); accessing a document database

whose datum have location identifiers (column 8, lines 40-42); and

Emery does not teach where sorting the document database in a shortest-

distance-first order based on a distance between the location of the CWC and the

location identifiers associated with the datum in the document database.

In related art concerning an internet system for connecting client-travelers with

geographically-associated data, Glorikian teaches of sorting the document database in

a shortest-distance-first order based on a distance between the location of the CWC

and the location identifiers associated with the datum in the document database

(columns 5 and 6, lines 37-67 and 1-29, respectively; where information is "pushed" in a

shortest-distance-first order basis as shown in the example).

It would have been obvious to a one of ordinary skill in the art at the time the

invention was made to combine Emery's method of sorting geo-spatial dependent data

using client wireless component with Glorikian's shortest-distance-first order in order to

provide the CWC user with the most proximate information regarding locations

associated with his/her location.

Regarding claims 2 and 11. Emery in view of Glorikian teaches all the limitations

according to claims 1 and 10. Emery further teaches of the usage of a global position

satellite (GPS)-type wireless component (CWC)(Figure 1, items 105.1, 107, and 108).

Regarding claim 3, Emery in view of Glorikian teaches all the limitations

according to claims 1. In addition, Emery teaches where determining of the location of

the CWC includes accessing an area code of the local wireless cellular network (column

16, lines 2-8).

Regarding claims 4 and 12, Emery and Glorikian teach all the limitations of

claims 1 and 10. Emery further teaches where the determining of the location of the

CWC includes explicit entry of location data (column 11, lines 40-42).

Regarding claims 5 and 13, Emery and Glorikian teach all the limitations of

claims1 and 10. Emery further teaches of storing the location into the CWC by inputting

the location in a location tracking database that stores both the location and timestamp (column 7, lines 19-24).

Regarding claims 6 and 14, Emery and Glorikian teach all the limitations of claims 1 and 10. Emery also teaches of editing the location identifiers to correspond to actual geo-spatial locations (columns 12 and 13, lines 62-67 and 1-8 respectively).

Regarding claims 7 and 15, Emery and Glorikian teach all the limitations of claims 1 and 10. Emery further teaches assigning the location identifier based on information other than geo-spatial location (column 3, lines 59-65).

Regarding claims 8 and 16, Emery and Glorikian teach all the limitations of claims 1 and 10. Glorikian further teaches where sorting comprises calculating a distance between the location and the location identifiers and ordering the datum by the distance, beginning with a smallest distance (column 6, lines 1-14; where the smallest distance is pushed to the top).

Regarding claim 9, Emery and Glorikian teach all the limitations of claim 1. Emery further teaches where sorting of the document databases in a location-dependent order by calculating the distance between current location and the location identifiers associated with the datum in the document database is by logical dimension (column 6, lines 42-45).

Regarding claim 17, Emery and Glorikian teach all the limitations of claim 10. Emery further teaches where sorting of the document databases in a location-dependent order by calculating the distance between current location and the location

identifiers associated with the datum in the document database is by logical dimension based upon user preference (column 12, lines 49-55).

Regarding claim 18, Emery teaches of a method of sorting location dependent data (column 10, lines 34-63), the system comprising at least: a client wireless component (CWC), the CWC having: a location tracker operatively configured with a location tracking database (column 15, lines 5-8); a document database operatively configured with an editor (column 15, line 40-41) a presenter (column 11, lines 32-39) operatively configured with the location tracking database; and a recorder (column13, lines 54-56) .

Emery does not teach where the location data used by the CWC is sorted in a shortest-distance-first order by calculating a distance between a user's location and location identifiers associated with datum in the document database.

In related art concerning an internet system for connecting client-travelers with geographically-associated data, Glorikian teaches where the location data used by the CWC is sorted in a shortest-distance-first order by calculating a distance between a user's location and location identifiers associated with datum in the document database (columns 5 and 6, lines 37-67 and 1-29, respectively; where information is "pushed" in a shortest-distance-first order basis as shown in the example).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Emery's method of sorting geo-spatial dependent data using client wireless component with Glorikian's shortest-distance-first order in order to

provide the CWC user with the most proximate information regarding locations

associated with his/her location.

Regarding claim 19, Emery and Glorikian teach all the limitations of claim 18.

Emery also teaches where the editor and the recorder comprise editing components

that modify the location tracking database (column 14, lines 1-20).

Regarding claim 20, Emery and Glorikian teach all the limitations of claim 20.

Emery further teaches where the presenter retrieves documents from the document

database, and sorts them in location-dependent order for presentation by calculating the

distance between current location from the location tracking database and location

information associated with each document in the document database (column 15, lines

5-8).

Regarding claim 21, Emery and Glorikian teach all the limitations of claim 20.

Emery further teaches where the CWC further includes global positioning satellite

(GSP) position components and distance determination for sorting the document

database is determined by a signal from a GSP network (Figure 1, item 107).

Regarding claim 22, Emery and Glorikian teach all the limitations of claim 20.

Emery also teaches where the CWC includes position determining components for

sorting the document database, the determining components determine location of the

CWC by accessing area code of the wireless cellular network (column 16, lines 4-8).

Regarding claim 23, Emery and Glorikian teach all the limitations of claim 10.

claim 23 is rejected as same reason set forth in claim 10. In addition, Emery teaches of

a program storage device readable by machine, tangibly embodying a program of

instructions executable by the machine to perform the method for sorting location

dependent data already described in claim 10 (column 3, lines 35-36).

Regarding claim 24, Emery and Glorikian teach all the limitations of claim 23.

Emery further teaches the editing of the document database further includes capability

of editing the location identifier associated with the datum determined by the actual geo-

spatial location (columns 12 and 13, lines 62-67 and 1-8 respectively).

Regarding claim 25, Emery and Glorikian teach all the limitations of claim 23.

Emery further teaches the editing of the document database further includes capability

of editing the location identifier associated with the datum determined by the non-actual

geo-spatial location (column 3, lines 59-65).

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Angelica Perez whose telephone number is 703-305-

8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday -

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for

the organization where this application or proceeding is assigned are 703-872-9314 for

regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the TC 2600's customer service number is 703-306-

0377.

NAY MAUNG
SUPERVISORY PATENT EXAMINER

Angelica Perez
(Examiner)

Nay A. Maung
(SPE)

Art Unit 2684

April 7, 2004